



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
( Case No. 00-838-Q (600.038) )

In the Application of:

Eckstein et al.

Serial No.: 10/656,270

Filing Date: September 5, 2003

For: 2'-deoxy-2'-fluoro Modified DNA

Examiner:

Group Art Unit: 1635

Confirmation No.: 7134

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

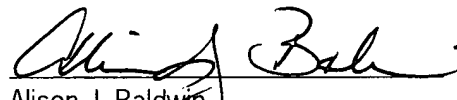
- ☒ Supplemental Information Disclosure Statement;
- ☒ Supplemental Information Disclosure Statement (IDS) PTO-1449 Form; and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on 13<sup>th</sup> April 2004.

By:

  
Alison J. Baldwin  
Reg. No. 48,968

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
( Case No. 00-838-Q (600.038) )**

<b>In the Application of:</b>	)	
	)	
<b>Eckstein et al.</b>	)	
	)	<b>Examiner: TBD</b>
<b>Serial No.: 10/656,270</b>	)	
	)	<b>Group Art Unit: 1635</b>
<b>Filing Date: September 5, 2003</b>	)	
	)	<b>Confirmation No.: 7134</b>
<b>For: 2'-deoxy-2'-fluoro Modified DNA</b>	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. This application is a continuation of US Serial No. 08/934,657 filed September 24, 1997, which is a continuation of 07/965,411 filed October 12, 1990, and is relied upon for an earlier filing date under 35 U.S.C. § 120. These references are also listed on the enclosed PTO Form 1449. It is requested that these documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

The Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. In accordance with this waiver, cited U.S. patents and U.S. patent application publications are not enclosed.

In the judgment of the undersigned, a portion of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

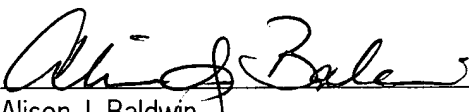
Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

#### **U. S. PATENTS**

- \* Cook et al., U.S. Patent No. 5,670,633 issued September 23, 1997
- \* Cook et al., U.S. Patent No. 6,005,087 issued December 21, 1999

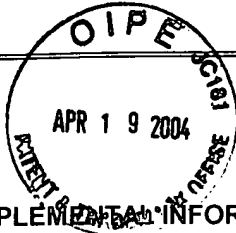
Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: *April 13, 3* 2004

By:   
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FORM PTO-1449  
(Rev. 2-32)



U.S. Department of Commerce  
Patent and Trademark Office

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

**Atty. Docket No.**

00-838-Q  
(600.038)

**Serial No.**

10/656,270

**Applicant:**

Eckstein et al.

**Filing Date:**

September 5, 2003

**Group:**

1635

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	*	5,670,633	09/23/97	Cook et al.			
	*	6,005,087	12/21/99	Cook et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.